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EMERGENCY MOTION \*\*\*THREAT OF COVID19\*\*\*EMERGENCY MOTION  
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APRIL 7, 2020

THE HONORABLE COLLEEN McMAHON  
CHIEF U.S. DISTRICT JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
500 PEARL STREET  
NEW YORK, NEW YORK 10007

THE HONORABLE VICTOR MARRERO  
SENIOR U.S. DISTRICT JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
40 CENTRE STREET  
NEW YORK, NEW YORK 10007

Re: United States v. Christopher E. Reese, Docket No. 12 Cr. 629 (VM)

Dear Judges:

I am the Defendant in the above referenced case, and I respectfully submit this EMERGENCY MOTION, seeking an order modifying the term of imprisonment of 108 months imposed in the above referenced case on January 24, 2014. This application is brought pursuant to 18 U.S.C. 3582(c)(1)(A), and for the reasons stated hereinafter, this motion should be granted in its entirety.

By way of background, I was convicted after a jury trial of conspiracy to commit bank fraud and wire fraud, in violation of 18 U.S.C. 1349 (Counts One and Three), one substantive count of bank fraud, in violation of 18 U.S.C. 1344 (Count Two), and one count of aggravated identity theft, in violation of 18 U.S.C. 1028A (Count Four), for my role in a check-theft scheme. The Court imposed a sentence under the U.S. Sentencing Guidelines of 84 months, and a consecutive 24 month term of imprisonment mandated by statute for the aggravated identity theft offense. I have been in custody since November 29, 2012, and I am currently scheduled for release on December 3, 2020. Thus, I have served nearly 90% of my sentence.

I have previously requested that Federal Bureau of Prisons release me from custody due to "extraordinary and compelling reasons." However, the requests have gone unanswered. I have since submitted (on at least two occasions -- January 15, 2020 and February 21, 2020) pro se motions to modify my sentence under 18 U.S.C. 3582(c)(1)(A). Those applications were forwarded to Judge Marrero, but have also gone unanswered. Consequently, and preliminarily, I am respectfully requesting that this case be reassigned to another district judge.

The Court is authorized to modify a term of imprisonment based on the existence of "extraordinary and compelling reasons" under 18 U.S.C. 3582(c)(1)(A), and may do so when a prisoner has, first, made his request to the Bureau of Prisons. Where the Warden has failed to respond within thirty day of receiving a prisoners request, that prisoner may petition the Court under section 3582(c)(1)(A) for relief. See, United States v. Monzon, No. 99 Cr. 157 (DLC), 2020 U.S. Dist. LEXIS 20566, at n.1 (S.D.N.Y. Feb. 4, 2020).

In addition to the "extraordinary and compelling reasons" described in the motion previously submitted, I am now seeking a modification of the term of imprisonment on the ground that the coronavirus is sweeping through federal prisons and killing prisoners at an alarming rate, and is certain to reach the facility in which I am held. On March 23, 2020, subsequent to an inmate testing positive for the coronavirus at MDC Brooklyn, approximately 20 inmates (who are believed to have been exposed at MDC Brooklyn) were transferred to the Low Security Correction Institution-Allenwood, where I am housed. Prisoners, including myself, watched in fear as staff (outfitted in full hazardous-material protective gear) escorted the inmates into the institution, significantly increasing the risk of exposure at this facility.

I am a life-long cardiac patient -- diagnosed with Patent Ductus Arteriosus ("PDA"), dilated cardiomyopathy, and congestive heart failure -- who also suffers from asthma, epilepsy and other debilitating illnesses. Contracting the virus is certain to mean death for me. Thus, I am respectfully requesting that the court modify the term of imprisonment to allow for my immediate release.

WHEREFORE, for the reasons stated, I pray that this Court will issue an order modifying the term of imprisonment.

Respectfully submitted,

/s/ Christopher E. Reese

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cc: U.S. Attorneys Office (SDNY)